



November 17, 2003

Marlene S. Dortch
Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Re: Ex Parte Presentation
WT Docket No. 02-55

Dear Ms. Dortch:

This is to advise that on November 14, 2003, Lawrence A. Fineran, Vice-President, National Association of Manufacturers; Richard C. Crawford, Director, Federal Government Affairs, Coors Brewing Company; and the undersigned met with Sheryl Wilkerson, legal assistant to Chairman Powell, regarding the above-captioned proceeding.

The NAM/MRFAC representatives addressed the points set forth in their earlier filings and in the attachment. In addition, a copy of the NAM publication, The Facts About Modern Manufacturing, was supplied.

An original and one copy of this letter are submitted for inclusion in the Docket.

Respectfully submitted,

/s/ William K. Keane

William K. Keane
Their Counsel

Cc(w/out encl.):

Sheryl Wilkerson

800 MHz Interference

The Latest Revisions to the Nextel Consensus Plan Do Not Resolve Concerns Expressed in Earlier NAM/MRFAC Comments

- Five-Nine Year (or More?) Freeze on Additions/Modifications to B/I/LT Systems Would Harm Hundreds of NAM/MRFAC Members by Limiting Innovation, Productivity, and Security Improvements
- Five-Year Set-Aside of Channels for Public Safety Would Restrict Business Growth and Relocation Opportunities for Industrial and Business Licensees
- Cost Estimates for Re-Banding Understated
- Inadequate Assurance of Funding Could Derail Re-Tuning Mid-Stream
- Reimbursement Process Insulated from Effective Commission Oversight Risks Manipulation and Bias
- Continues to Avoid Hard Issues Associated with Border Regions

More Conservative Treatments Should Be Tried Before Radical Surgery

- Commonality Between Balanced Approach and Nextel Plan Forms Basis For First Step, *e.g.*:
 - Adopt Rules Specifying Interference Correction Rights and Responsibilities
 - Adopt Complaint Procedure In The Event A Cellular Licensee Fails to Cooperate
 - Specify Time Period for Trial of Case-by-Case Solutions, *e.g.* Six Months or Less
- Provides an Opportunity for Real-World Evaluation of Less Drastic Proposals: An Ounce of Experience With This Approach Worth A Pound of Pleadings
- In the Event Step One Fails, Implement Re-Banding Along the Lines of That Proposed by Consensus Parties -- Assuming Concerns with Present Proposal Resolved